

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

VAFA SHAMSAI-NEJAD,
 Plaintiff,

vs.

TEAMSTERS UNION, *et al.*,
 Defendants.

Case No. 2:12-CV-00422-JCM-CWH

ORDER

Presently is the report and recommendation of Magistrate Judge Carl W. Hoffman regarding plaintiff's motion for leave to proceed in forma pauperis. Doc. #4. No objections have been filed.

This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a de novo determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1).

Where a party fails to object, however, the court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review employed by the district court when reviewing a report and recommendation to which no

1 objections were made); *see also Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz.
2 2003) (reading the Ninth Circuit's decision in *Reyna-Tapia* as adopting the view that district
3 courts are not required to review "any issue that is not the subject of an objection."). Thus, if
4 there is no objection to a magistrate judge's recommendation, then this court may accept the
5 recommendation without review. *See, e.g., Johnstone*, 263 F. Supp. 2d at 1226 (accepting,
6 without review, a magistrate judge's recommendation to which no objection was filed).

7 Nevertheless, this court finds it appropriate to engage in a de novo review to determine
8 whether to adopt the recommendation of the magistrate judge. Upon reviewing the
9 recommendation and underlying briefs, this court finds good cause appears to ADOPT the
10 magistrate's findings in full.


11 Therefore,

12 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the report and
13 recommendation of Magistrate Judge Hoffman (doc. #4) be, and the same hereby is, ADOPTED
14 in its entirety.

15 IT IS THEREFORE ORDERED that the clerk of the court shall file plaintiff's complaint.

16 IT IS FURTHER ORDERED that the complaint be, and the same hereby is,
17 DISMISSED.

18 DATED this 13TH day of August, 2012.

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21 UNITED STATES DISTRICT JUDGE
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